



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION

**DEPARTMENT OF
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MEMORANDUM

TO: Parties to D.T.E. 02-86

FROM: Paula Foley, Hearing Officer

RE: Briefing Schedule

DATE: February 25, 2003

On December 20, 2002, the Department of Telecommunications and Energy ("Department") received a Petition Seeking Investigation and Complaint ("Complaint") from Schreiber and Associates, P.C. and S&A Services of Watertown, Ltd. (jointly, "Schreiber") alleging that CTC Communications Corporation ("CTC") unjustly and unreasonably provided telecommunications services to Schreiber. On January 3, 2003, the Department received CTC's Answer to Schreiber's Complaint. The matter has been docketed as D.T.E. 02-86.

On our own motion, the Department requests that the parties provide briefs addressing the following legal issues:

1. Given the Department's historical practice to limit customer complaint adjudications to residential customers only (see, e.g., Teleprocessing, Inc., D.P.U. 91-34 (1992)), does the Department have jurisdiction over Schreiber's Complaint? Is it discretionary?
2. If the Department does have jurisdiction, should we assume it in this instance?

Briefs on these issues are due March 25, 2003; reply briefs are due April 8, 2003. If you have any questions, please contact me at (617) 305-3608.